

# Hawaiian Gazette

EST. MODUS IN REBUS.

TEN-PAGE EDITION.

TUESDAY, JULY 8, 1890.

The National party has at last shown its hand. Rep. Kalan last week gave notice of an Act authorizing His Majesty to call a Constitutional Convention.

The first semi-annual rent of the Oahu Railway and Land Company, on account of the lease of the Campbell property (\$10,000), came due and was paid Tuesday; also the interest on the company's bonds (\$10,500). Both these large obligations were paid out of the surplus of the income fund of the company. This speaks well for the first half-year's management of an enterprise which some looked on as rather doubtful of success, but which promises to be a growing source of prosperity to this city and every district of the island which it reaches.

On Monday morning a half-hour was lost in a discussion which never touched the question by any accident. Several members remarked that the discussion was out of order, but no one rose to a point of order. This is a childish way of wasting the time of the House and is unworthy of a deliberative assembly composed of grown-up men. The time of the House costs the country nearly \$100 an hour, and it ought not to be thrown away. The House lacks expert parliamentary tacticians. The Hon. Cecil Brown seems to be almost the only one, and he probably gets worn out calling the refractory to order.

On Monday week the National Reform Party voted not to allow a poor Hawaiian widow, the wife of a faithful Government servant, to draw the modest pension of \$10 per month from the public treasury. We mention this not as a slur on that party, for it acted not from any hostility to widows, but because, we presume, it believed it was unfair to treat these cases exceptionally. We mention this merely because two years hence—perhaps even a few days hence—this cruel treatment of the poor Hawaiian widow will be paraded before Hawaiian electors as one of the atrocities of the Reform Party.

What purports to be the speech of Rep. Robert Wilcox in reply to charges made by Minister Thurston, has gone through an extraordinary transformation in the hands of the Printing Committee. It has been so "doctored" by the translator, or someone else, that it is hardly recognizable and is as it stands tantamount to a forgery. It is freely decorated with the things, slurs, sneers, sarcastic observations and innuendoes, so characteristic of the ex-Attorney-General. The Printing Committee are responsible for the fidelity and particularly the good faith of the work done in connection with the documents in their charge, and they ought to explain the queer changes in this speech.

The motion to reconsider the bill with regard to the Foreclosure and Sale of Mortgages, Tuesday unhappily provoked some utterly gratuitous personalities. That Rep. Lucas should have been scurrilous will surprise no one, but that Noble Macfarlane should have set an example in detraction is a disappointment. His observations seem to have been an ebullition of personal spite, for according to his own statement the "unprofessional" conduct of W. R. Castle was supported by the Supreme Court in Banco. Is the Supreme Court "unprofessional" too? It would seem so, and doubtless W. R. Castle, the Supreme Court and the bar generally, will repair to Noble Macfarlane as a fountain of legal wisdom.

## THE CHANGE IN THE MARSHALSHIP.

The announcement made Tuesday of the resignation (that is removal) of Marshal J. H. Soper probably occasioned more regret than surprise. We cannot avoid censuring the Cabinet for the removal of a faithful public officer without cause. That there is any cause in this case beyond a more or less extensive partizan cry for his removal, we do not believe, and in yielding to such cry, the Cabinet has done perhaps a natural, certainly an unjustifiable thing.

Mr. Soper has been a faithful, efficient and strictly honest public officer—too honest it is said, for his place. He falls a victim to these very qualities which have brought him more enemies than friends. He had the courage to defend the public, against the will of an unscrupulous superior, and he has been sacrificed for it. He will take with him into private life the confidence and good will of all the best part of the community.

The removal does not seem to be

a "spoils" one. If it were we should condemn the Cabinet most unsparingly. For Mr. Soper's successor, Mr. Chas. L. Hopkins, we have nothing but praise. He is a Hawaiian of the best type having served for many years in the Marshal's department with credit, is uniformly courteous and thoroughly trustworthy. Whether he possesses the requisite push and energy necessary for the position is more uncertain and on the point, time alone can decide. He has the opportunity to win for himself the reputation of an efficient public officer.

## CORRESPONDENCE.

We do not hold ourselves responsible for the statements made, or opinions expressed by our correspondents.

## Mortgage Foreclosures.

Mr. Ennos: I regret that business engagements yesterday should have deprived me of the great benefit I might have derived by listening to the discussion on a motion to reconsider a bill relative to Mortgage Foreclosures. It seems that I might have heard the Honorable T. R. Lucas hint that I have been guilty of dark and underhanded proceedings, and might have learned from the Honorable E. C. Macfarlane that I have been guilty of unprofessional conduct. I can have no doubt that the honorable gentlemen, while they were saying these things, consoled themselves with the reflection that "they shall not be held to answer for any speech or debate made in the Legislature in any Court or place whatsoever" (see Article 54 of the Constitution). Perhaps these gentlemen will pardon me if I now have my say, although they might have heard it fully had they chosen to attend the meeting of the Judiciary Committee upon this bill.

When it first became necessary for me to foreclose a mortgage in this country, I of course carefully examined the statute which seemed to me a little odd. With Mr. Hatch, then my partner, we used the method of foreclosure which I now follow, was fixed upon; as complying with the statute and fully carrying out the general law regarding foreclosures, which requires that everything shall be done to protect the rights and interests of the land owner or mortgagor. Under our statute, a notice of intention to foreclose may be given with no reference at all to the lands to be sold; and then a notice of sale describing the land might be posted for a day or two, and on sale, because of the short notice, the land might be sacrificed very easily, and yet the sale be strictly legal. We felt that such could not be the intent of the law and so prepared the notice of intention to foreclose and sell, which has been uniformly used by me ever since. I claim that it is the only way by which the rights of the mortgagor can be protected at once simply, clearly and at the least expense to him; for the mortgagor bears the cost of foreclosure. The affidavit on foreclosure must be made and filed by the mortgagor within a certain time. I have caused them to be prepared by the person who acted for the mortgagor, who only could swear to the facts on his personal knowledge. The method thus pursued by me has resulted in all possible advantage to the land owner and has been attended with the least possible expense to them. Some of the lawyers here, however, thought differently and have pursued a different method, which is more expensive and more cumbersome, and more liable to omission and error. Recently a doubt has been raised as to title of purchasers under my method of foreclosure, on the ground that it did not comply with the statute. Of course this was a very serious matter, as everyone is naturally very sensitive as to the title to his property. I therefore talked it over with Judge Preston, who, while he thought my system was probably correct, recognized the danger of uncertainty as to title, and suggested a statute declaration of the intent of the law and to ratify and confirm all foreclosures, etc. I glanced at his Act of 1876 relative to Probate Courts and drew the statute introduced by Mr. Baldwin in this session declarative of the intent of the Act of 1874.

Curiously enough, just after I had prepared the bill, or subsequent to its introduction, a case arose in the Supreme Court involving the very point covered by the statute. I appeared for the defendant in support of my own method of foreclosure, and gained the case before Mr. Justice Bickerton. It was appealed to the full Court, and the Honorable Mr. Lucas and the Honorable Mr. Macfarlane will, I hope, pardon me if I observe that several days before they chose to impugn my professional character and conduct before the Legislature, the Court in Banco unanimously sustained and affirmed the judgment of Mr. Justice Bickerton and thereby declared my method of foreclosure to be legal. Still, I trust that the Legislature will pass and His Majesty sign the bill, for too great safeguards cannot be thrown around real estate titles in this or any other country.

W. R. CASTLE.

Honolulu, July 1, 1890.

## The Planter's Monthly

For June contains the usual variety of interesting reading for all engaged in agricultural pursuits. Articles on the new tariff bill and its effects on the labor question are given. A valuable letter is printed from Prof. Coggeshall, the State Entomologist of California, regarding the tree pest known as the cottony cushion scale, which has lately appeared here. The writer asks for further information regarding our fruit tree pests, especially those that attack the orange, coffee, etc. This issue of the monthly contains some valuable articles, which should be carefully perused by planters and others interested in the prosperity of the kingdom.

Mr. S. E. Pierce, who holds power of attorney for L. T. Valentine of the Hawaiian Business Agency, sent out a circular yesterday to creditors, stating that owing to his not receiving an expected remittance from Mr. Valentine, he was unable to meet the liabilities of the Agency any longer. He estimated that Valentine's estate if wound up now would realize about fifteen cents on the dollar. Mr. Valentine is in the States on his wedding tour.

## Advertisements.

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Cases Pearl Tapioca, 4 lb. tins.  
Cases Flake Tapioca, 4 lb. tins.  
Cases Semolina, 4 lb. tins.  
Cases Ground Rice, 4 lb. tins.  
Cases Split Peas, 4 lb. tins.  
Cases Scotch Round Oatmeal, 4 lb. tins.  
Cases Scotch Fine Oatmeal, 4 lb. tins.  
Cases C & B Oatmeal, 4 lb. tins.  
Cases Fine Pearl Barley, 4 lb. tins.  
Cases Canary Seeds, 4 lb. tins.  
Cases Whole Allspice, 7 lb. tins.  
Cases Whole Cloves, 7 lb. tins.  
Cases Neapolitan Macaroni, 4 lb. tins.  
Cases Klipped Herrings, 6 doz. each.  
Cases Yarmouth Bloaters, 6 doz. each.  
Cases Finken Haddock, 6 doz. each.  
Cases Fresh Herrings, 1 lb. tins.  
Cases Cod Roes, 1 lb. tins.  
Cases Assorted Jams, 1 lb. tins. C & B, 6 doz. each.  
Cases Assorted Jams, Glass Jars, 1 lb. tins. C & B, 3 doz. to each.  
Cases Assorted Jams, 2 lb. tins. C & B, 3 doz. each.  
Cases Assorted Pickles, qts. Morton's, 2 doz. each.  
Cases Assorted Pickles, pts. C & B, 3 doz. each.  
Cases Assorted Pickles, pts. Morton's, 2 doz. each.  
Cases Castor Oil, 5 oz. bottles, Morton's, 3 doz. each.  
Cases Castor Oil, 10 oz. bottles, Morton's, 3 doz. each.  
Cases Bl. Carb. Soda, in bottles, Morton's, 6 doz. each.  
Cases Mustard, in bottles, ¼, ½ and 1 lb., 6 doz. each.  
Cases Genuine Mustard, in ¼ and one lb. tins.  
Cases Ground Pepper, in bottles, ¼, ½ and 1 lb., 6 doz. each.  
Cases Bermuda Arrowroot, 1 lb. tins, 6 doz. each.  
Cases English Plum Pudding, 1 and 2 lb. tins, 2 doz. each.  
Cases Curry Powder, in bottles, ¼, ½ and 1 lb., 2 doz. each.  
Cases Tippeco Sahib Curry, ¼ and ½ pint, 3 doz. each.  
Cases East India Genuine Chutney Sauce.  
Cases Citron Peel, 7 lb. tins.  
Cases Citron, Lemon and Mixed Peels, 2 lb. jars.  
Cases Lea and Perrins' Sauce, ¼ and ½ pint.  
Cases Oxford Sauces, 1 and 2 lb. tins.  
Cases Spanish Olives.  
Cases Albert Sarlat's, ¼ and ½ tins, 100 each case.  
Cases Sardines, Cheaper Brand, ¼ and ½ lb. tins, 100 each case.  
Cases Petit Pot Tree Pins, 100 each case.  
Cases Petit Pot, Flue, 100 each case.  
Cases Champignons, 100 each case.  
Cases Mushrooms, 100 each case.  
Cases & Blackwell's Assorted Spices.  
Cases Morton's Assorted Spices, 6 doz. each.  
Cases Morton's Confectionery, ¼ bottles, 3 doz. each.  
Cases Morton's Confectionery, ½ bottles, 6 doz. each.  
Cases Morton's Confectionery, 1 lb. bottles, 2 doz. each.  
Cases Morton's Confectionery, 7 lb. tins.  
Cases Bl. Carb. Soda, 112 each.  
Cases Sal. Soda, sht. 500 each.  
Cases C & B Assorted Sauces.  
Cases C & B Anchovy Sauce.  
Cases Sayer's Relish.  
Cases Liebig's Extract Meat in Jars.  
Cases Raspberry Syrup.  
Cases Raspberry Vinegar.  
Cases Black Currant Syrup.  
Cases Lemon Syrup.  
Cases Duro's Salad Oil, ½ and 1 pint bottles.  
Cases Gelatine, in packets.  
Boxes Smyrna Figs, Jars French Prunes.  
Cases Table Salt, 2 lb. jars.

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5th. It destroys worms and hastens maturity.  
6th. It is a thorough preventive. Feeders who use it all the year round have no disease among their swine.  
7th. It will repay its cost many times over in the extra pounds of pork it will make without extra feed. Hogs treated with it will gain two or more pounds, while others are gaining one. The reason is it regulates the digestive functions and enables the animal to convert every particle of food eaten into pork, involving no waste. Hundreds of testimonials from breeders in England, Germany, Scotland, Ireland, the United States, New Zealand, and Australia.

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"Our experience has shown that Hass' Remedy will prevent disease in hogs and that the increase in flesh by its use more than covers the cost."  
"GILLILAND, HUCKWORTH & BUCKLES."  
"Coffeeville, Kansas."  
"A good investment as a pork producer, to say nothing of its preventing disease."  
"L. R. WOODS, Keene, Kentucky."  
"I do not think it safe to be without Hass' Remedy to prevent disease. After a thorough test I am sure it is a valuable medicine as well as a pork producer."  
"B. P. DORSEY, Breeder Perry, Illinois."

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One-fourth of the purchase money is sufficient to secure a contract.

Price of Inside Lots.....\$ 150 00 each

Price of Corner Lots..... 175 00 each

The above notice does not apply in those cases where the propositions are already in course of negotiation.

## INVESTORS WILL PLEASE STATE:

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